

REMARKS

Reconsideration and allowance of this application are respectfully requested in view of the above amendments and the following remarks.

By this Amendment, claims 1-10, 12 and 15-21 are cancelled; claims 11 and 13 have been amended, and new claims 22-37 have been added. Claims 11, 13-14 and 22-37 are pending in this application. No new matter has been added.

In one aspect, as recited in amended independent claim 11, this invention is a method of making a VoIP (Voice over Internet Protocol) network call to an electronic device. The method includes entering a number associated with the electronic device and then determining, based at least in part on an indication contained in the number, whether at least a part of said number corresponds to a telephone number of a computer. The method further includes, when it is determined that at least a part of the number corresponds to the telephone number of a computer, determining an IP address corresponding to the computer; and establishing a communication link between said telephone and the computer.

As recited in new independent claim 29, this invention is a method of making a VoIP (Voice over Internet Protocol) network call from a conventional telephone. The method of claim 29 includes, at the conventional telephone, entering an alphanumeric string; and then determining, based at least in part on an indication contained in the alphanumeric string, whether the string corresponds to a telephone number of a computer. The method then determines an IP address corresponding to the computer; and establishes a communication link between the telephone and the computer.

As recited in the claims, the indication is distinct from the telephone number.

Support for these claims is found in the specification as filed, e.g., at ¶¶0011, 0026 & 0031, and in Fig. 4 (block 410), Fig. 5 (blocks 535, 540) and Fig. 7.

As taught in the specification, the indication contained in the number may be, e.g., “a marker such a “0” or “00” at the beginning of an otherwise conventional type telephone number.” ¶0026.

As recited in new claim 34, this invention is a method of making a VoIP (Voice over Internet Protocol) network call from a conventional telephone. The method of claim 34 includes entering an alphanumeric string at the conventional telephone; and determining whether the alphanumeric string corresponds to a speed dial number. When it is determined that the alphanumeric string corresponds to a speed dial number, the speed dial number is retrieved. Based at least in part on an indication contained in the speed dial number, it is determined whether the speed dial number corresponds to a telephone number of a computer, and when the speed dial number corresponds to a telephone number of a computer, an IP address corresponding to the computer is determined and a communication link between the telephone and the computer is established.

Support for this claim is found in the specification as filed, e.g., at ¶¶0011, 0026, 0030, 0031 and in Fig. 4 (block 410), Fig. 5 (blocks 525, 530 and 540); Fig. 6 (blocks 610, 620, 630, 540) and Fig. 7.

THE PRIOR ART REJECTIONS

The Examiner rejected claims 11-14 under § 102(e) as being anticipated by Galvin (U.S. Patent No. 6,351,464) and claim 15 under § 103 as being unpatentable over Galvin. The grounds for these rejections are respectfully traversed in view of the above amendments and the following remarks.

The Examiner correctly acknowledges that Galvin “fails to teach the number containing a flag indicating that the number is that of a computer.” The Examiner also correctly notes that “Galvin teaches that the number dialed by the

calling party is a telephone number assigned to the called party, and the PSTN 14 routes the call to an automatic call processing system 16 which is the destination for that particular dialed PSTN telephone number.”

While acknowledging that Galvin does not teach a separate “flag” for the indication that a call is to a computer, the Examiner then incorrectly states that:

it would have been obvious for one of ordinary skill in the art at the time of the invention to separately include a flag as a part of the number dialed to indicate the number is that of a computer since the indication is an inherent feature of the number dialed.

Office Action, pgs. 3-4, item 4.

This apparent obviousness is based entirely on hindsight and on the Applicant’s invention.

However, the fact that in Galvin a dialed number will eventually be connected to a computer does not mean that Galvin teaches or in any way suggests the presently claimed invention. To the contrary, Galvin specifically teaches using a regular telephone number to reach the called party, without any prior knowledge by the calling party that he is calling a computer.

The Examiner’s statement about the apparent obvious modification to Galvin ignores the very problem that Galvin is specifically trying to avoid – the problem of a user having to know whether the number being called corresponds to a computer or to any other device. See, e.g.,

a single individual may have an office line, a home business line, a dedicated line at home for fax and dial-up modem access to Internet service providers (ISP) and a separate home telephone line. In addition, that individual may also have a car phone and a cell phone. Calling parties may be unwilling to call these plurality numbers in an attempt to contact an individual

Galvin, Col. 1, lines 18-25.

In Galvin's system, the calling party is not really calling a particular telephone, he is actually calling a subscriber. Galvin's subscriber decides and determines where and how the call should be made. In Galvin, a call to a subscriber is really a call to a device that will itself access a calling profile for that subscriber and then the device itself – the device that the caller has called – will call the subscriber in the appropriate place and on the appropriate device. See, e.g., Galvin:

To overcome these problems, various products have been developed such as the "CONTACT" product * * *. The CONTACT product uses a single number that is assigned to each subscriber. A calling party dials the number that is assigned to a called subscriber to access a calling profile for that subscriber. An automatic call processing system then calls each of the numbers in the stored calling profile sequence of numbers for that subscriber in an effort to contact the subscriber. In this manner, a single number can be used to access the subscriber, thereby eliminating many of the frustrations associated with attempting to contact an individual that has a plurality of PSTN numbers. Although the one number access products are effective in locating a user at various PSTN lines, to date, such services have not been able to connect a user to a data device on a data network, such as the Internet to provide IP telephony calls.

Galvin teaches using a single number for each subscriber, regardless of whether the subscriber is at a conventional telephone or at a computer-based phone. In addition, Galvin teaches that a user making a call to such a subscriber need only dial a single phone number – the system described in Galvin then apparently tries to locate the user.

If anything, Galvin teaches away from the presently claimed invention, and the Examiner's suggested modification to Galvin – i.e., the proposed use of a flag as part of the number being dialed – would completely destroy the value of the system taught by Galvin. The Examiner's proposed "obvious" modification of Galvin goes completely against the teaching of Galvin,

since it would require a user making a telephone call to know (a) the location of the called party, and (b) that the called party was at a computer-based telephone. These are both things that Galvin's system is trying to avoid. The advantage of a system like Galvin's is precisely that a subscriber need only give one *conventional telephone* number to potential callers. As noted by Galvin:

A caller can then call a single PSTN number assigned to a user which is routed to an automatic call processing system. The automatic call processing system accesses a calling profile for the called number and sequentially calls each of the numbers in the call profile. The call profile may include one or more logical addresses (IP alias). The automatic call processing system recognizes the IP alias as a destination on the data network and queries the directory to determine if the data device is logged on to the IP network and to obtain the physical IP address of the data device on the network. If the data device has registered an IP address, that indicates that the device is logged on to the system and that the PSTN call can be routed to a translator for subsequent routing to the data device on the data network.

Galvin, col. 2, lines 43-57.

In Galvin's system there is no need for a calling party to know whether the number being called corresponds to a computer, and so one skilled in the art, reading Galvin, would not be motivated to modify his system to include any indication to that effect. As can be seen from Galvin, e.g., Fig. 1 and related description, the call from the originating telephone 10 goes via a local switch 12 through the PSTN 14 to the ACP System 16. From the perspective of the originating telephone, it is making a call via the PSTN. The originating telephone need never know that it is calling a computer. It is Galvin's ACP System 16 that tries to find the called party and make the appropriate connections. Galvin's ACP system 16 already knows what kind of connection it is making and does not need to include any indication in any number. Galvin describes the call sequence an ACP makes, based on a subscriber's calling profile. *Galvin*, col. 7, lines 11-21.

As can be seen, when the phone is to be connected to a computer, the calling profile includes “one or more IP aliases.” *Galvin* col. 7, lines 19-20.

Thus, in *Galvin*, there would be no need for a caller to know that he is calling a computer (*Galvin*’s ACP system – the crux of *Galvin*’s system –takes care of routing the call appropriately). And so *Galvin*’s system has no need for any indication that a phone number being dialed corresponds to a computer.

Accordingly, applicant respectfully submits that *Galvin* fails to teach or in any way suggest the claimed methods of making VoIP telephone calls. There is nothing in *Galvin* about any form of determining, based at least in part on an indication in the dialed number, whether a telephone number corresponds to that of a computer.

Further as to new claim 34, there is nothing in *Galvin* to teach or in any way suggest the claimed: determining whether an alphanumeric string corresponds to a speed dial number; when it is determined that the alphanumeric string corresponds to a speed dial number, retrieving the speed dial number; and determining, based at least in part on an indication contained in the speed dial number, whether the speed dial number corresponds to a telephone number of a computer.

In view of the above, withdrawal of these rejections under §§ 102 and 103 are respectfully requested.

CONCLUSION

Applicant respectfully submits that this application is in condition for allowance and an early action to that effect is earnestly solicited.

Deposit Account No.: 501860

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CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to Account/Order No. shown in the heading hereof for which purpose a duplicate copy of this paper is attached.

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Respectfully submitted,

By: _____

Brian Siritzky

Registration No.: 37,497

DAVIDSON BERQUIST JACKSON & GOWDEY LLP

703.894.6400